

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FREEPLAY MUSIC, LLC,

Plaintiff,

- against -

MAKITA CORPORATION and
MAKITA U.S.A., INC.

Defendants.

**AFFIDAVIT
OF SERVICE**

Civil Action No.
13-CV-05235 (JPO / FM)

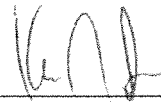
STATE OF NEW YORK)
COUNTY OF ALBANY) SS.:

Kevin R. Dayer, being duly sworn, deposes and says:

1. I am over the age of 21 years, not a party to this action, and reside in the State of New York.

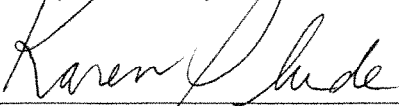
2. On February 6, 2014, at approximately 3:58 p.m., I served Plaintiff's **Third Amended Summons and Third Amended Complaint for Copyright Infringement, with exhibits annexed thereto**, in the above-captioned matter, upon **MAKITA CORPORATION**, pursuant to Section 307 of the New York Business Corporation Law, by personally delivering and leaving duplicate copies of said papers with Chad Matice, a person authorized to accept service on behalf of the New York State Secretary of State, Department of State, 99 Washington Avenue, Albany, New York.

3. At the time said service was made, the statutory fee of \$40.00 was paid by deponent to the New York State Department of State.



KEVIN R. DAYER

Sworn to before me this
6th day of February, 2014



Notary Public

KAREN PLUDE
Notary Public, State of New York
No. 01PL6224192
Qualified in Westchester County
Commission Expires June 28, 2014